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Agenda item 9 (b)

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION: INCLUDING NATIONAL INSTITUTIONS FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS

Argentina, Australia*, Austria, Bangladesh, Cameroon*, Canada, Cape Verde, Colombia*, Croatia*, Cyprus*, Denmark, El Salvador, Ethiopia*, France, India, Indonesia, Ireland, Italy, Latvia*, Madagascar, Mexico, Mongolia*, New Zealand*, Philippines, Romania*, Slovakia*, South Africa, Spain*, Sweden*, the former Yugoslav Republic of Macedonia*, Tunisia, United States of America and Venezuela: draft resolution

1998/... National institutions for the promotion and protection of human rights

The Commission on Human Rights,

Recalling relevant resolutions of the General Assembly and its own resolutions concerning national institutions for the promotion and protection of human rights, notably Commission on Human Rights resolution 1992/54 of 3 March 1992, General Assembly resolution 48/134 of 20 December 1993, Commission on Human Rights resolution 1997/40 of 11 April 1997 and General Assembly resolution 52/128 of 12 December 1997,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Welcoming the rapidly growing interest shown worldwide in the creation and strengthening of independent, pluralistic national institutions for the promotion and protection of human rights,

Convinced of the important role such national institutions play in promoting and protecting human rights and fundamental freedoms and in developing and enhancing public awareness of those rights and freedoms,

Recognizing that it is the prerogative of each State to choose, for the establishment of a national institution, the legal framework that is best suited to its particular needs and circumstances to ensure that human rights are promoted and protected at the national level in accordance with international human rights standards,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights (A/CONF.157/23), in which was reaffirmed the important and constructive role played by national human rights institutions and their role in remedying human rights violations and in the dissemination of human rights information and education concerning human rights,

Recalling also the Platform for Action adopted by the Fourth World Conference on Women (A/CONF.177/20, chap. I), in which Governments were urged to create or strengthen independent national institutions for the promotion and protection of human rights, including the human rights of women,

Welcoming the strengthening of international cooperation amongst national human rights institutions, especially through the Fourth International Workshop on National Human Rights Institutions, held in Mérida, Mexico, in November 1997, and expressing appreciation to the Mexican National Human Rights Commission and the Office of the High Commissioner for Human Rights for organizing that event,

Also welcoming the strengthening of regional cooperation amongst national human rights institutions, including through the second meeting of the Asia Pacific Forum of National Human Rights Institutions, held in New Delhi in September 1997, the Third International United Nations Development Programme Workshop on Ombudsman and National Human Rights Institutions, held in Riga in June 1997, and the first meeting of Mediterranean national institutions for the promotion and protection of human rights, held in Marrakesh, Morocco, in April 1998,

Further welcoming the recommendation of the Committee of Ministers of the Council of Europe in September 1997 that member States consider establishing effective national human rights institutions,

Noting the importance of finding an appropriate form of participation by national institutions in relevant United Nations meetings dealing with human rights, and noting that a number of national institutions have for some time taken a constructive part in such meetings as part of the delegations of Member States,

1. Reaffirms the importance of the development of effective, independent, pluralistic national institutions for the promotion and protection of human rights in conformity with the Principles relating to the status of national institutions annexed to General Assembly resolution 48/134 of 20 December 1993;

2. Encourages Member States to establish or, where they already exist, to strengthen such institutions, as outlined in the Vienna Declaration and Programme of Action;

3. Welcomes the decisions announced recently by a growing number of States to establish, or consider establishing, national institutions for the promotion and protection of human rights;

4. Reaffirms the role of national institutions, where they exist, as appropriate agencies inter alia for the dissemination of human rights materials and other public information activities during the United Nations Decade for Human Rights Education (1995-2004); and encourages national institutions to play an active role in the celebrations marking the fiftieth anniversary of the Universal Declaration of Human Rights at the national and local levels;

5. Commends the activities of the High Commissioner for Human Rights in promoting and strengthening national institutions;

6. Welcomes the statements by the High Commissioner for Human Rights that the work on national institutions will be a high priority of her Office, and encourages her in her continuing efforts to integrate this work into the core activities of the Office;

7. Invites Governments to contribute additional, earmarked funds to the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights;

8. Takes note of the role of the Coordinating Committee created by national institutions, as recognized in Commission on Human Rights resolution 1994/54 of 4 March 1994, in close cooperation with the Office of the High Commissioner for Human Rights, to assist Governments and national institutions, when requested, to follow up on relevant resolutions and recommendations concerning the strengthening of national institutions;

9. Requests the Secretary-General to continue to provide, from within existing resources, the necessary assistance for holding meetings of the Coordinating Committee during the sessions of the Commission on Human Rights, under the auspices of, and in cooperation with, the Office of the High Commissioner for Human Rights;

10. Also requests the Secretary-General to continue to provide, from within existing resources and the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, the necessary assistance for regional meetings of national institutions;

11. Considers it important for national institutions which conform with the Principles relating to the status of national institutions to be able to participate in an appropriate manner in their own right in meetings of the Commission on Human Rights and its subsidiary bodies;

12. Notes the report of the Secretary-General concerning participation by national institutions in United Nations meetings dealing with human rights (E/CN.4/1998/47) and, in particular, the possible forms of such participation outlined therein, and requests the Secretary-General to submit to the Commission at its fifty-fifth session a report including a detailed analysis of the implications of these possible forms of participation and practical steps to take the matter forward;

13. Considers that existing practices should be continued in the interim to provide for such participation;

14. Welcomes the decisions to hold the third Asia-Pacific regional workshop of national institutions, the second regional meeting of African national institutions and the third regional meeting of European national institutions within the next year;

15. Invites Governments and intergovernmental organizations to contribute to the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights for the purpose of financing, where necessary, attendance by representatives of national institutions;

16. Recognizes the important and constructive role that non-governmental organizations can play, in cooperation with national institutions, for the better promotion and protection of human rights;

17. Requests the Secretary-General to report to the Commission at its fifty-fifth session on the implementation of the present resolution;

18. Decides to continue its consideration of this question at its fifty-fifth session.

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